UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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ART UNIT	PAPER NUMBER
2132	

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>29 June 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____ .

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

1.   Claims 1-20 have been examined.

Information Disclosure Statement

2.   The information disclosure statements (IDSes) submitted on 09/10/2002, 09/03/2002, and

05/22/2002 was filed before the mailing date of the first Office action. The submission is in

compliance with the provisions of 37 CFR 1.97(b)(3). Accordingly, the information disclosure

statements are being considered by the examiner.

Specification

3.   The use of trademarks for operating systems and platforms on page 4, lines 8-9 and page

14, lines 7-8 and 14-15 has been noted in this application. It should be capitalized wherever it

appears and be accompanied by the generic terminology.

        Although the use of trademarks is permissible in patent applications, the proprietary

nature of the marks should be respected and every effort made to prevent their use in any manner

which might adversely affect their validity as trademarks.

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
> subject matter which the applicant regards as his invention.

5.   Claims 2-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant regards as

the invention.

Claim 2 recites the limitation "the native security settings" in line 1. There is insufficient

antecedent basis for this limitation in the claim. This rejection can be overcome by deleting the

second "the" in line 1.

6.   Claims 4-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant regards as

the invention.

Claim 4 recites the limitation "the native security settings" in line 1. There is insufficient

antecedent basis for this limitation in the claim. This rejection can be overcome by deleting the

second "the" in line 1.

7.   Claims 9-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant regards as

the invention.

Claims 9-12 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for

omitting essential elements, such omission amounting to a gap between the elements. See MPEP

§ 2172.01. The omitted elements are: hardware limitations sufficient to support a claim drawn to

a system.

8.   Claim 12 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant regards as

the invention.

Claim 12 contains the trademark/trade name Windows NT. Where a trademark or trade name is used in a claim as a limitation to identify or describe a particular material or product, the claim does not comply with the requirements of 35 U.S.C. 112, second paragraph. See *Ex parte Simpson*, 218 USPQ 1020 (Bd. App. 1982). The claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product. A trademark or trade name is used to identify a source of goods, and not the goods themselves. Thus, a trademark or trade name does not identify or describe the goods associated with the trademark or trade name. In the present case, the trademark/trade name is used to identify/describe a directory type and, accordingly, the identification/description is indefinite.

9.   Claims 14-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 14 recites the limitation "the native security settings" in line 1. There is insufficient antecedent basis for this limitation in the claim. This rejection can be overcome by deleting the second "the" in line 1.

10.   Claims 16-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 16 recites the limitation "the native security settings" in line 1. There is insufficient antecedent basis for this limitation in the claim. This rejection can be overcome by deleting the second "the" in line 1.

Claim Rejections - 35 USC § 101

11.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or
> any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and
> requirements of this title.

12.   Claims 1-8 and 13-20 are rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter.

Claims that recite method steps merely manipulating abstract ideas are nonstatutory. See

MPEP § 2106 IV. B. 1 and *In re Schrader*, 11 F.3d 290, 292-93, 30 USPQ2d 1455, 1457-58

(Fed. Cir. 1994). The claims recite process steps that neither result in a physical transformation

outside the computer in a practical application nor limited to a practical application in the

technological arts. See MPEP § 2106 IV. B. 2(b) and *Diamond v. Diehr*, 450 U.S. at 183-84,

209 USPQ at 6. This rejection can be overcome by reciting step(s) that result in a portal entity,

such as a user, obtaining access to a metadata object, such as by viewing and exposure (see

specification, page 17, lines 10-21; figure 7, steps 710 and 714).

13.   Claims 9-12 are rejected under 35 U.S.C. 101 because the claimed invention is directed

to non-statutory subject matter.

Claims 9-12, drawn to a system, recite limitations that are merely computer programs *per*

se, i.e., the descriptions or expressions of the programs, are not physical "things." MPEP § 2106

IV. B. 1(a). The limitations are not directed to interrelated hardware elements combining to form

a machine. See MPEP § 2106 IV. B. 2(a) and *In re Alappat*, 33 F.3d 1526, 1544, 31 USPQ2d

1545, 1557.

14.   Claims 13-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed

to non-statutory subject matter.

Claims 13-20 are drawn to a computer program product. A "computer program product" is a computer listing not embodied on a computer-readable medium. "[C]omputer programs claimed as computer listings *per se*, i.e., the descriptions or expressions of the programs, are not physical 'things.' They are neither computer components nor statutory processes, as they are not 'acts' being performed. Such claimed computer programs do not define any structural and functional interrelationships between the computer program and other claimed elements of a computer which permit the functionality of the computer to be realized." MPEP § 2106 IV. B. 1(a). This rejection can be overcome by a claiming "computer-readable medium encoded with a computer program product." *See id.*

15.   To expedite a complete examination of the application, the claims rejected under 35 U.S.C. 101 (nonstatutory) above are further rejected as set forth below in anticipation of applicant amending these claims to place them within the four statutory categories of invention.

Claim Rejections - 35 USC § 102

16.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

17.   Claims 1-5 and 9-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Polizzi

et al., U.S. Patent No. 6,643,661 B2.

       As per claims 1 and 13, Polizzi et al. illustrate a method and a computer program product

for administering portal security for an object, comprising:

       extracting a native security setting from a native environment of the object (see column

10, lines 49-60; figure 3, item 300; obtaining the confidential nature for an object based on

confidential information that only a few users should see);

       mapping the native security setting into a portal security setting associated with a portal

(see column 10, lines 55-59; figure 3, items 305 and 300; determining permissions to the object

and its category); and

       associating in the portal, the portal security setting with the object (see column 10, lines

63-64; implementing the security measures for sensitive information; see column 10, lines 55-59;

with the permissions assigned to the objects).

       As per claims 2 and 14, Polizzi et al. further shows:

       that the native security settings comprise an identity of an entity external to the portal

(see column 4, lines 26-29; figure 1, items 100; a plurality of users external to the portal and

connected to it by a computer network) having a predetermined security relationship with the

object in its native environment (see column 10, lines 49-60; figure 3, item 300; obtaining the

confidential nature for an object based on confidential information that only a few users should

see);

mapping the external entity into a corresponding portal entity (see column 5, lines 43-47; figure 2, item 220; assigning permissions and group memberships to a particular user in association with the portal); and

instantiating the predetermined security relationship between the metadata object and the corresponding portal entity (see column 11, lines 27-30; assigning permissions to users to read, write, and execute objects).

As per claims 3 and 15, Polizzi et al. then specifies:

that the predetermined security relationship is viewing access (see column 11, lines 27-30; assigning permissions to users to read objects).

As per claims 4 and 16, Polizzi et al. moreover point out:

that the native security settings comprise an identities of users and groups external to the portal (see column 4, lines 26-29; figure 1, items 100; a plurality of users external to the portal and connected to it by a computer network; see column 11; lines 30-31; where a group is a set of users) having a predetermined security relationship with the object in its native environment (see column 10, lines 49-60; figure 3, item 300; obtaining the confidential nature for an object based on confidential information that only a few users should see);

mapping the external uses and external groups into a corresponding portal users and groups according to a mapping process (see column 5, lines 43-47; figure 2, item 220; assigning permissions and group memberships to a particular user in association with the portal; see

column 11, lines 31-33; where a particular group will be given similar permissions for a set of

objects); and

associating the corresponding portal users and portal groups with the object according to

the predetermined security relationship (see column 11, lines 27-30; assigning permissions to

users to read, write, and execute objects).

As per claims 5 and 17, Polizzi et al. then suggests:

that the mapping process is executed according to information maintained in a portal

database (see column 11, lines 33-36; figure 3, items 120, 220, and 200-210; the authentication

server maps in accordance with the portal databases).

As per claim 9, Polizzi et al. disclose a corporate portal system, comprising:

a crawler for accessing external domains (see column 12, lines 50-54; crawlers

navigating the Internet accessing documents in external domains through URLs);

a security extraction utility (see column 10, lines 49-60; figure 3, item 300; obtaining the

confidential nature for an object based on confidential information that only a few users should

see);

a database comprising information for mapping the extracted native security information

into a security system of the corporate (see column 10, lines 55-59; figure 2, items 200-210;

figure 3, items 305 and 300; determining permissions to the object and its category); and

associating in the portal, the portal security setting with the object corresponding to the

mapped security information (see column 10, lines 63-64; implementing the security measures

for sensitive information; see column 10, lines 55-59; with the permissions assigned to the

objects),

wherein the security system of the corporate portal regulates the exposure of portal

metadata objects corresponding to external objects (see column 11, lines 27-30; assigning

permissions to users to read, write, and execute objects).

As per claim 10, Polizzi et al. then point out:

a synchronizing agent for accessing external user and external group information (see

column 5, lines 43-47; figure 2, item 220; assigning permissions and group memberships to a

particular user in association with the portal; see column 11, lines 31-33; where a particular

group will be given similar permissions for a set of objects); and

wherein a database comprises information corresponding to portal users and portal

groups with the object according to the predetermined security relationship (see column 11, lines

27-30; assigning permissions to users to read, write, and execute objects).

As per claim 11, Polizzi et al. further show:

an administrative user interface for populating the database using information that

includes the external user information and the external group information (see column 11, lines

17-36; figure 2, items 220, 120, and 200-210; archiving user and group information for

authentication in the database).

As per claim 12, Polizzi et al then discusses:

that the synchronizing agent adapts user and group information from directory types of

Windows NT (see column 4, lines 54-55), LDAP (see column 38-41) and ODBC (see column 4,

lines 47-52).

Telephone Inquiry Contacts

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Justin T. Darrow whose telephone number is (571) 272-3801, and

whose electronic mail address is justin.darrow@uspto.gov. The examiner can normally be

reached Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Gilberto Barrón, Jr., can be reached at (571) 272-3799.

The fax number for Formal or Official faxes to Technology Center 2100 is (703) 872-

9306. In order for a formal paper transmitted by fax to be entered into the application file, the

paper and/or fax cover sheet must be signed by a representative for the applicant. Faxed formal

papers for application file entry, such as amendments adding claims, extensions of time, and

statutory disclaimers for which fees must be charged before entry, must be transmitted with an

authorization to charge a deposit account to cover such fees. It is also recommended that the

cover sheet for the fax of a formal paper have printed **"OFFICIAL FAX"**. Formal papers

transmitted by fax usually require three business days for entry into the application file and

consideration by the examiner. Formal or Official faxes including amendments after final

rejection (37 CFR 1.116) should be submitted to (703) 872-9306 for expedited entry into the

application file. It is further recommended that the cover sheet for the fax containing an

amendment after final rejection have printed not only **"OFFICIAL FAX"** but also

"AMENDMENT AFTER FINAL".

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application should be

directed to the Group receptionist whose telephone number is (571) 272-2100.

June 27, 2005

JUSTIN T. DARROW
PRIMARY EXAMINER
TECHNOLOGY CENTER 2100